

Statement of Community Involvement

Draft 2021



On reasonable request, the Council will provide this document in alternative formats such as large copy print.

Contents

1.	Introduction.....	X
2.	The Planning System	X
3.	Forward Planning	X
	Planning Policy Consultation Methods	X
	Duty to Co-operate.....	X
4.	Development Management	X
	Pre-application	X
	Application stage.....	X
	Decision stage.....	X
	Post-decision stage.....	X
	Breaches in Planning Control.....	X
5.	Glossary	X

1. Introduction

- 1.1 Planning considers a number of issues, including housing, transport, the environment and climate change. The decisions that are made through the planning system affect us all, so getting involved in planning processes is important for everyone.
- 1.2 Whilst many people already comment on applications, it is important to also comment on the preparation of local planning policies, because decisions on planning applications are made in accordance with local (and national) planning policies¹.
- 1.3 Gathering the views of the local community is vital for the Council, as it allows planning decisions to be made which best reflect the needs, aspirations and wishes of Harlow and the people who live, visit and work in the town.
- 1.4 All Local Planning Authorities are required to produce a Statement of Community Involvement (SCI) to comply with national legislation, policies and guidance. The SCI details:
 - how and when the Council will carry out public consultations with the local community during the preparation of local planning policies and the determining of planning applications;
 - the ways in which local communities can respond during these consultations; and
 - the Council's commitment to ensuring that local people, businesses and organisations have involvement in local planning matters.
- 1.5 The Council, in its capacity as Local Planning Authority, must follow the procedures for consultation and engagement as set out in the SCI once it is adopted. Harlow Council published and adopted its existing SCI in 2014, with minor amendments made in 2016.
- 1.6 This updated SCI was prepared in accordance with current legislation¹ and reflects recent changes by central Government to the planning system, as well as feedback from consultation events undertaken by the Council in recent years, and the experiences of Officers using the SCI.
- 1.7 For more information on how the Council carries out consultation in general, please see the [Community Engagement Strategy](#), which is available to download from the Council's website.

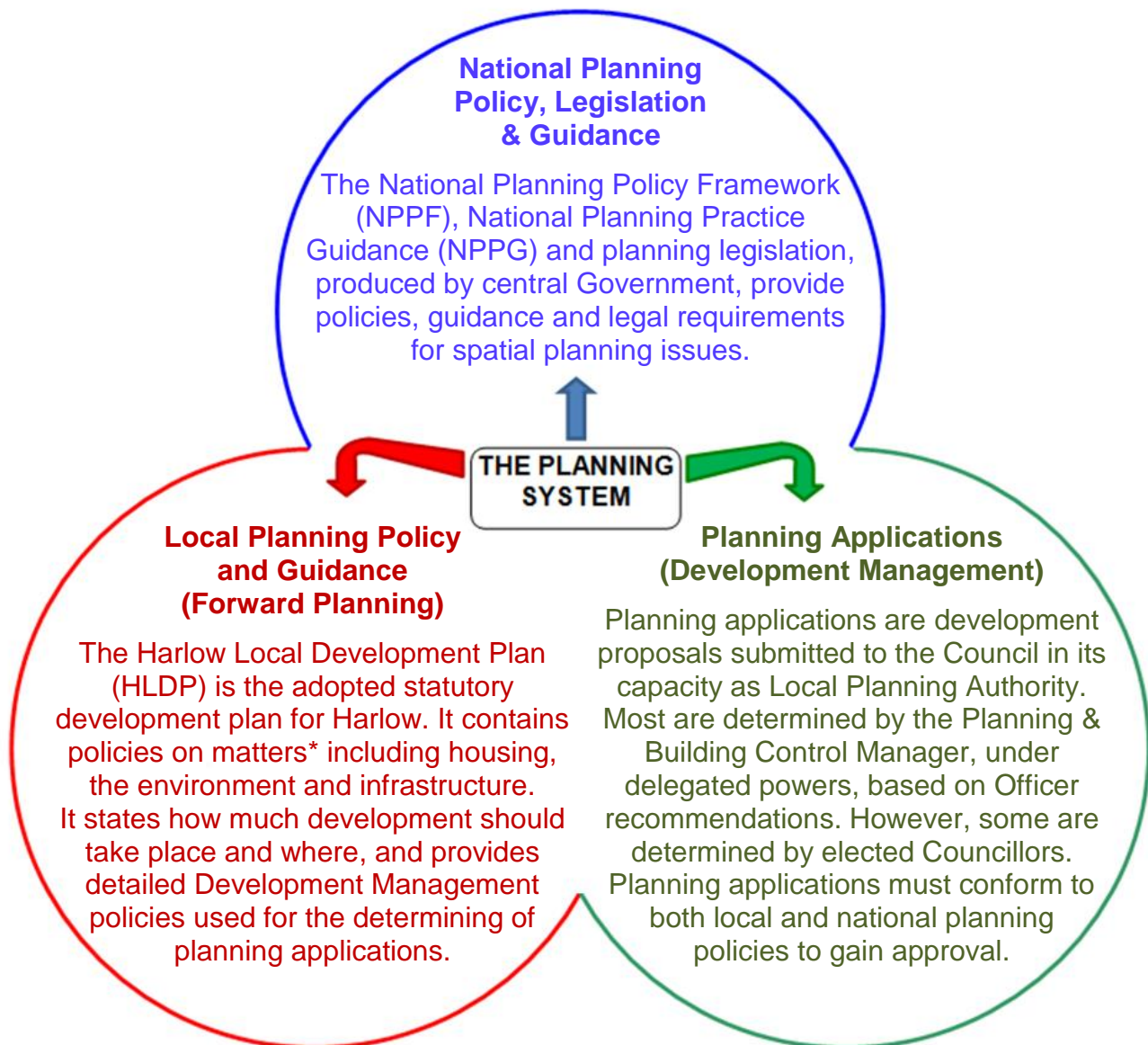
¹ Including The Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Localism Act 2011, the Town and Country Planning (Local Planning) (England) Regulations 2012, the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and National Planning Practice Guidance.

2. The Planning System

2.1 In its capacity as Local Planning Authority, Harlow Council has two main responsibilities: producing local planning policies - which are set out in a Local Development Plan - and determining planning applications.

2.2 Fig. 2.1 provides a brief overview of the planning system and how it operates.

Fig. 2.1: Overview of the Planning System



*Certain matters such as minerals & waste, schools and highways – and the preparation of associated policies and consideration of associated planning applications – are the responsibility of Essex County Council.

3. Forward Planning

- 3.1 The Forward Planning team is responsible for keeping under review the social, economic and environmental conditions of Harlow, and for producing local planning policies that shape and guide development to meet Harlow's current and future needs.
- 3.2 A Development Plan for an area contains the local planning policies which guide various long-term aspects, including housing, regeneration, protection and supply of green space, retail development and infrastructure.
- 3.3 The Harlow Local Development Plan (HLDP) was adopted in December 2020 and replaced the Adopted Replacement Harlow Local Plan as the statutory Development Plan for Harlow. It contains policies and proposals, illustrated through the Policies Map, which will shape the development of Harlow up to 2031. It is underpinned by a detailed evidence base and accompanied by Supplementary Planning Documents (SPDs), the Statement of Community Involvement (SCI) and Authority Monitoring Reports (AMRs).
- 3.4 Additionally, other legislation and statutory instruments such as Article 4 Directions and Local Development Orders may be produced as required and consulted on in accordance with the appropriate legislation.
- 3.5 For more information on the production of new Forward Planning documents and what they will contain, please see the [Local Development Scheme](#).
- 3.6 Planning applications are determined in accordance with local and national planning policies, so local planning policies are critical in helping to decide what will be protected and where, and what will and what will not be given permission to be developed.
- 3.7 The Council is committed to producing documents which are written clearly and concisely, with the avoidance of technical language wherever possible. Sometimes the use of technical language is unavoidable due to the nature of the matters being considered and the legislative requirements of the planning system. Where possible, however, related documents contain glossaries to explain any technical terms and abbreviations used.
- 3.8 Table 3.1 summarises the different types of local planning policy documents and their consultation requirements, based on the minimum legislative requirements. Where necessary for certain documents and depending on available resources, levels of consultation may be further increased.

Table 3.1: Local Planning Policy Documents & Consultation Requirements

Document type	Are these documents required or optional?	Will public consultation take place?	Will an examination take place?
Development Plan (includes Policies Map and Evidence Base)	Required	Yes	Yes
Community Infrastructure Levy (CIL)	Optional	Yes	Yes
Supplementary Planning Documents	Optional	Yes	No
Statement of Community Involvement (SCI)	Required	Yes	No
Local Development Scheme (LDS)	Required	No	No
Authority Monitoring Reports (AMRs)	Required	No	No
Area Action Plans (AAPs) (classed as a Development Plan Document)	Optional	Yes	Yes
Neighbourhood Plans	Optional	Yes*	Yes*
Other legislation and statutory instruments (such as Article 4 Directions and Local Development Orders)	Optional	Yes	No











**Public consultation on Neighbourhood Plans is undertaken by the body/ies preparing the Plan, following which the Plan is subject to examination by an independent body. A local referendum on the Plan is then held; the results of which determine whether it can be adopted and used in the determining of planning applications.*



Note: The requirements listed in the above table may change depending on the legislative requirements for a document at the time it is produced.

Planning Policy Consultation Methods

- 3.9 The Council will consult with as many people and organisations as possible, as well as any other consultees that may be relevant for the document or subject matter being consulted upon.
- 3.10 Table 3.2 indicates the ways in which the Council consults on local planning policy documents. The actual level of consultation will depend on the specific requirements of relevant legislation for the document being consulted on, the scale of the consultation and the availability of resources. The Council will always comply with the necessary legislative requirements.

Table 3.2. Possible Planning Policy Consultation Methods

	<p>Website and Consultation Portal On the Council’s website, news and information on the preparation of local planning policies is published, along with information on how to take part in consultations and the results of previous consultations. The policies themselves, including their evidence bases (where appropriate) are also made available to download free of charge. Hard copies may be available (possibly for a small fee). The online Consultation Portal (see www.harlow.gov.uk/local-plan) allows people to sign up to be notified on the progress of the preparation of local planning policies, as well as make comments during consultations and read other people’s comments.</p>
	<p>Provision of hard copies of documents While documents are being consulted on, hard copies are available to view in the Civic Centre, Harlow Central Library and, where appropriate, other public places in the district (such as other libraries).</p>
	<p>Local Media Notices and/or articles may be published in the local media, detailing public consultations on planning policy documents, including the dates of the consultation, the availability of documents and how to make comments.</p>
	<p>Social Media Advertisements about public consultations and how to take part in them are posted on the Council’s social media accounts.</p>
	<p>Surveys and Questionnaires Surveys and questionnaires may be issued by the Council to gather the views and opinions of local residents, groups and businesses on relevant planning issues.</p>
	<p>Presentations, workshops and focus groups Presentations, workshops and focus groups may be held with various bodies – including hard-to-reach groups – to discuss documents which are being consulted on.</p>
	<p>Leaflets and posters Leaflets and posters are displayed in various public locations to advertise public consultations. If appropriate, site notices are displayed in the relevant area(s).</p>
	<p>Exhibitions Exhibitions – including information boards and possibly the presence of staff from the Forward Planning team – may be held in easy-to-reach publicly accessible places (such as libraries, shopping centres and community centres).</p>
	<p>Council meetings Planning policy documents are often discussed by Councillors at public council meetings before and after they are consulted on. When final versions of documents have been produced, they are adopted by Councillors at a public council meeting. Council meetings may also be held online where appropriate.</p>
	<p>Press conferences Press conferences may be held to inform the local media about a document which is being consulted on.</p>

	<p>TV and radio interviews Members of Council staff and elected Councillors may be interviewed by local and national TV and radio, in relation to local planning policy documents.</p>
	<p>Notifications The Council keeps and maintains a secure database of people and organisations who wish to be informed on matters relating to local planning policy documents, and sends letters/emails to such contacts to inform them of when a document is being consulted on and when it is adopted and brought into force. The database is fully GDPR (General Data Protection Regulation) compliant. People and organisations can be added to, or removed from, the database via the Council's website (www.harlow.gov.uk/local-plan).</p>

3.11 Tables 3.3 to 3.11 provide more detailed information on the consultation methods during the preparation of the two main types of planning policy documents (Development Plan Documents and Supplementary Planning Documents).

3.12 The planning system is a transparent process. Therefore, when you respond to a public consultation, comments and information you submit – as well as your name – may be made available for public inspection on the Council's website and in relevant documents. Certain information will be redacted before it is published online. All information received during public consultations is held by the Council in accordance with the General Data Protection Regulation, the Data Protection Act 1998 and the Freedom of Information Act 2000.

Hard-to-reach groups

3.13 The Council pays close attention to consulting hard-to-reach groups, such as disability groups and young people. It is recognised that the range of diversity within such groups means that generalisations cannot be made; therefore the issues facing these groups varies. These may include poor literacy, visual impairment, disabilities, difficulty travelling and limited internet access. More information is available in the Council's Corporate Engagement Strategy, which can be downloaded from the Council's website.

3.14 There are a number of methods which the Council may use to ensure sufficient consultation is carried out with hard-to-reach groups. Where resources allow, these methods may include:

- sending the groups hard copies of documents;
- producing easy-to-understand and easy-to-read summary leaflets;
- providing telephone interpreting services; and
- making meetings available with groups at accessible locations.

Development Plan Documents

3.15 Tables 3.3 to 3.8 detail the required stages of the preparation of a Development Plan Document (DPD) and a Community Infrastructure Levy (CIL) and the consultations that the Council will carry out. The stages described are those specified in The Town and Country Planning (Local Planning) (England)

Regulations 2012 (as amended) or the Community Infrastructure Levy Regulations 2010 (as amended).

3.16 The necessary consultation listed in the tables meets or exceeds the minimum legislative requirements. Depending on the circumstances of an individual document and availability of resources, the actual level of consultation may be further increased.

Table 3.3: STAGE 1. Pre-publication and evidence gathering
(Regulation 18: Preparation of a local plan – this is not relevant for CIL)

Description	Consultation
<p>Information is gathered to support the preparation of the DPD, including the development of an evidence base, and the identification of potential issues and options. One or more draft documents relating to the DPD may be produced and consulted on</p>	<ul style="list-style-type: none"> • Notify relevant consultees of how they can make comments about what the DPD should contain and the date by which comments must be submitted • Where appropriate and where resources allow, hold exhibitions, public meetings and/or focus groups • If a draft document relating to the DPD is published: <ul style="list-style-type: none"> ○ Consult on the document for an appropriate length of time ○ Make the document available for viewing ○ Where appropriate, consider holding workshops to discuss the DPD and to hear directly from stakeholders ○ Notify relevant consultees of what the document is about, where and when it can be viewed, how they can make comments on it and the date by which comments must be submitted ○ Publish a notice in the local press, detailing what the document is about, where and when it can be viewed, how comments on it can be made and the date by which comments must be submitted ○ Once the consultation is complete, produce a Consultation Summary Report detailing the consultation process, the responses received and how the responses have been considered

Table 3.4: STAGE 2. Publication of the DPD/CIL

(Regulation 19: Publication of a local plan or Regulation 16 for CIL)

Description	Consultation
Taking into account the outcomes of Stage 1, one or more drafts of the DPD/CIL draft Charging Schedule are produced, published and consulted on	<ul style="list-style-type: none"> • Consult on the DPD/CIL draft Charging Schedule for a minimum period of six weeks • Make the DPD/draft Charging Schedule available for viewing • Notify relevant consultees of what the DPD/draft Charging Schedule is about, where and when it can be viewed, how they can make comments on it and the date by which comments must be submitted • Publish a notice in the local press detailing what the DPD/draft Charging Schedule is about, where and when it can be viewed, how comments on it can be made and the date by which comments must be submitted • Where appropriate and where resources allow, hold exhibitions, public meetings and/or focus groups, including with developers and other stakeholders • Once the consultation is complete, produce a Consultation Summary Report detailing the consultation process, the responses received and how the responses have been considered

Table 3.5: STAGE 3. Submission of the DPD

(Regulation 22: Submission of documents and information to the Secretary of State or Regulation 19 for CIL)

Description	Consultation
The submission version of the DPD/Charging Schedule is submitted to the Secretary of State	<ul style="list-style-type: none"> • Make the DPD available for viewing • Notify consultees who were notified at Stages 1 & 2 (including people who have requested notification of the submission of the DPD/Charging Schedule) that it has been submitted, and where and when it can be viewed

Table 3.6: STAGE 4. Public Examination

(Regulation 24: Independent examination or Regulation 21 for CIL)

Description	Consultation
The submitted document is examined in public by the independent Planning Inspector, who tests it to ensure it is sound, has a robust evidence base and has been prepared in accordance with the adopted SCI and the Duty to Co-operate	<ul style="list-style-type: none"> • Six weeks, or four weeks in respect of CIL, before the start of a public hearing (held by the Planning Inspector), notify any consultee who has made a representation on the DPD/Charging Schedule of the name of the Inspector, and where and when the public hearing is being held • The Inspector may invite the Council to make modifications to documents, which would be consulted on

Table 3.7: STAGE 5. Publication of Inspector’s Report

(Regulation 25: Publication of the recommendations of the appointed person or Regulation 23 for CIL)

Description	Consultation
Following the Public Examination, the Inspector produces a Report setting out any changes the Council must make to the document(s)	<ul style="list-style-type: none"> • Make the Inspector’s Report available for viewing • Notify consultees who have requested notification of publication of the Inspector’s Report that it has been published

Table 3.8: STAGE 6. Adoption

(Regulation 26: Adoption of a local plan or Regulation 25 for CIL)

Description	Consultation
Following the publication of the Inspector’s Report, the Council makes any changes requested by the Inspector. The document/Charging Schedule is then adopted by Councillors at a public council meeting	<ul style="list-style-type: none"> • Make the adopted DPD/Charging Schedule available for viewing • Send a copy of the Adoption Statement to the Secretary of State and to consultees who have requested notification of the adoption of the DPD

Notes:

- Any document made available for viewing is available for inspection at public places in Harlow (e.g. the Civic Centre or Harlow Central Library) and on the Council’s website
- Notifications are sent via email and/or letter
- ‘Relevant consultees’ are detailed at paragraphs 3.19 to 3.22

Supplementary Planning Documents

- 3.17 Tables 3.9 to 3.11 detail the process of the preparation of a Supplementary Planning Document (SPD) and the consultations that the Council will carry out. The stages described are those specified in The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 3.18 The necessary consultation listed in the tables meets or exceeds the minimum legislative requirements. Depending on the circumstances of an individual document and availability of resources, the actual level of consultation may be further increased.

Table 3.9: STAGE 1. Pre-publication and evidence gathering
(Regulation 12: Public participation)

Description	Consultation
Required information is gathered to support the preparation of the SPD	<ul style="list-style-type: none"> • Notify relevant consultees of how they can make comments about what the SPD should contain, and the date by which comments must be submitted • Where appropriate and where resources allow, hold exhibitions, public meetings and/or focus groups

Table 3.10: STAGE 2. Publication of a draft document
(Regulation 12: Public participation)

Description	Consultation
Taking into account the outcomes of Stage 1, a draft SPD is produced	<ul style="list-style-type: none"> • Consult on the SPD for of a minimum period of four weeks • Make the SPD available for viewing • Notify relevant consultees of what the SPD is about, where and when it can be viewed, how they can make comments on it and the date by which comments must be submitted • Publish a notice and/or article in the local press, detailing what the SPD is about, where and when it can be viewed, how comments on it can be made and the date by which comments must be submitted • Where appropriate and where resources allow, hold exhibitions, public meetings and/or focus groups • Once the consultation is complete, produce a Consultation Summary Report detailing the consultation process, the responses received and how the responses have been considered

Table 3.11: STAGE 3. Adoption
(Regulation 14: Adoption of supplementary planning documents)

Description	Consultation
Following consideration of representations received during Stage 2, the SPD is modified. It is then adopted by Councillors at a public council meeting	<ul style="list-style-type: none"> • Make the adopted SPD available for viewing • Send a copy of the Adoption Statement to the people who have requested notification of the adoption of the document

Notes:

- Any document made available for viewing is available for inspection at public places in Harlow (e.g. the Civic Centre or Harlow Central Library) and on the Council's website
- Notifications are sent via email and/or letter
- 'Relevant consultees' are detailed at paragraphs 3.19 to 3.22

Relevant consultees

3.19 Legislation categorises consultees into specific consultees and general consultees. It states that, in the preparation of a planning policy document (specifically Development Plan Documents), local planning authorities must:

- consult with specific consultees which are considered to have an interest in the subject of the document;
- consult with general consultees which are considered appropriate; and
- consult with residents or others carrying on business which are considered appropriate to invite comments.

3.20 Paragraphs 3.21 and 3.22 list the types of specific and general consultees for Harlow. The contact details of the individuals and groups are stored internally and updated when a consultation takes place to ensure consultations are carried out correctly and appropriately. The lists are therefore not an exhaustive guide of who may be consulted.

3.21 Specific consultees

- Relevant and adjoining county councils
 - Essex County Council
 - Hertfordshire County Council
- Neighbouring district, city and/or borough councils
 - Epping Forest District Council
 - East Hertfordshire District Council
 - Uttlesford District Council
- Town / parish councils (note: there are none within the Harlow district)
 - Sawbridgeworth Town Council
 - Eastwick and Gilston Parish Council
 - Epping Upland Parish Council
 - Hunsdon Parish Council
 - Matching Parish Council

- Nazeing Parish Council
- North Weald Bassett Parish Council
- Roydon Parish Council
- Sheering Parish Council
- Electronic communication suppliers
 - British Telecom
 - Mobile Operators Association
- Electricity suppliers
 - UK Power Networks
- Gas suppliers
 - National Grid Gas
 - British Gas
- Sewerage undertakers and water suppliers
 - Thames Water Utilities
 - Lea Valley Water plc
 - Three Valleys Water
- Local policing body
- Other utility companies
- NHS England
- Environment Agency
- Historic England
- Sport England
- Natural England
- Network Rail Infrastructure Limited
- Highways England
- Homes and Communities Agency

3.22 **General consultees**

- BAME organisations, including Harlow Ethnic Minority Umbrella and the Harlow and District Chinese Association
- Faith groups and churches
- Disability and access groups
- Mental health groups
- Older people groups
- Youth groups
- Woman's groups
- LGBT groups
- Gypsy and traveller groups
- Schools, colleges and other education/training providers
- Health groups
- Sports organisations, including Sport England
- Historical/archaeological groups
- Residents/tenants associations
- Housing associations
- Environmental and wildlife groups
- Business groups
- Developers, landlords, landowners and planning consultants/agents and other stakeholders who have expressed an interest in the preparation of the document(s)

- Democratically-elected Harlow District and Essex County Councillors (Members)
- Others
 - Public transport companies
 - Community transport providers
 - House builders
 - East of England Ambulance Service
 - Essex Fire and Rescue
 - Arts organisations
 - Citizens Advice Bureau
 - Local branches of professional institutions
 - Anyone who has previously made a comment on a relevant Forward Planning document and/or has been placed on the Council's consultation portal database, and has requested to be kept informed

Duty to Co-operate

- 3.23 National legislation and guidance is clear that, under the Duty to Co-operate, Local Planning Authorities and other public bodies must engage constructively, actively and on an ongoing basis with each other on a number of cross-boundary matters during the preparation of Local Plans. Such matters include the provision of necessary transport, healthcare and education infrastructure.
- 3.24 The Duty to Co-operate is not a duty to agree, but Local Planning Authorities must make every effort to secure the necessary cooperation of cross boundary matters. During a Public Examination for a Development Plan Document, the Council's compliance with the Duty to Co-operate forms part of the Inspector's decisions on whether the Document is sound.
- 3.25 The bodies which the Council is required to engage with under the duty to co-operate include, but are not limited to, the following:
- Essex County Council
 - Epping Forest District Council
 - East Hertfordshire District Council
 - Uttlesford District Council
 - Environment Agency
 - English Heritage
 - Homes and Communities Agency
 - NHS England / West Essex CCG

4. Development Management

- 4.1 The Planning Department is responsible for determining applications received by the Council. These decisions therefore shape the character of the district – now and for generations to come. As there are often differing views and competing interests on proposals, it is the Council’s role to make an informed decision on what outcomes will be in the best interest of the community, having regard to local planning policies for the area and the potential impacts of the proposal.
- 4.2 When development is proposed by a developer or an individual, a planning application is submitted to the Council. There are various types and scales of possible proposed development, which are outlined in Tables 4.3 and 4.4. Each year, the Council receives and determines hundreds of applications.

Pre-application

The need to obtain planning permission

- 4.3 Many residential and commercial works, including changes to the exterior of properties and erection of new buildings, require planning permission prior to the works being carried out. In the first instance the Planning Portal’s interactive house (interactive.planningportal.co.uk) should be used to help you establish if planning permission is needed for various types of works. The Council’s website also includes information on restrictions on land including Article 4 Directions and planning constraints can be found on the Council’s Policies Map.
- 4.4 If necessary, further advice can be sought via a ‘Do I need planning permission?’ enquiry form. This can be submitted to the Planning Department, via the Council’s website, to ascertain whether planning permission for particular types of work or land uses are required before any changes or works can commence.
- 4.5 A Case Officer in the Planning Department will check the planning history of the land which is the subject of the enquiry and whether the land and/or any existing property are covered by any restrictions. A response is given within eight weeks, but may be issued sooner depending upon available resources.
- 4.6 It is important to note that aside from receiving planning permission, other consents may also be required, such as Covenant Control consent and Building Regulations consent, before commencing any works. More information on this can be obtained by checking with the Planning Department and by contacting the Council’s Covenant Control and Building Control Departments. Contact details are available on the Council’s website at www.harlow.gov.uk/planning-building

Pre-application advice

- 4.7 The Council offers two types of pre-application advice – a.) written advice and b.) meetings. Written advice is provided for all requests, providing the Council is supplied with all necessary information. Advice through meetings (with Development Management Officers) is only available for proposals for major development (see Table 4.2 for types of application).
- 4.8 Basic planning advice is provided for free, but there are fees for more formal advice including commercial operators asking if planning permission is needed for changes of use or works. Fees for other applications depend on the size of the development proposed, as well as the type of advice sought (either written or meetings). The current fees are available on the Council’s website.
- 4.9 Seeking pre-application advice is pro-actively encouraged, as it is a useful way of identifying and resolving possible issues at an early stage and obtaining an understanding of the likely key issues and the Council’s aspirations. It also provides an opinion regarding the principle of the proposed schemes, and ensures that submitted applications are of a high quality and contain the required information. This helps to streamline the application process. In some circumstances, where applications are large, complex or controversial, Councillors may participate in pre-application briefings from the applicant.
- 4.10 Any views expressed by Council Officers during the pre-application process are informal and are not binding on any subsequent decision that is made by the Council. Additionally, to ensure impartiality is retained, the Planning Department is not able to offer advice on which architects, planning consultants and/or other consultants should be employed in the preparation of a planning application. Please note that if Councillors are involved in a pre-application briefing, they will not express any opinion about an application.

Pre-application consultation

- 4.11 It is expected that for proposals for major and departure applications, the applicants carry out pre-application consultation. For developments of a lesser size, more informal methods of consultation are appropriate. The scale of this consultation depends on the type of proposed development and is listed in Table 4.1. Applicants should also make reference to the Council’s validation checklist which also sets out the level of pre-application engagement expected.

Table 4.1: Method of pre-application consultation expected, based on type of development proposal

Consultation method	Informal discussion with neighbouring properties	Briefing and/or exhibition held for Harlow Councillors*	Separate briefings and/or exhibitions held for a.) the public and b.) Harlow Councillors*
Development category/type			
Large-scale major	✓ (if appropriate)	✓	✓

Small-scale major	✓ (if appropriate)	✓	✗
Departures	✓ (if appropriate)	✓	✗
Householder	✓	✗	✗
Minor and all other types	✓ (if appropriate)	✗	✗

**Where briefings and/or exhibitions are held during the pre-application stage, they should be repeated at the application stage*

- 4.12 Definitions of the types of major development are provided in Table 4.2. A planning application is considered to be a ‘departure’ if it is not in accordance with the provisions and policies of the adopted Development Plan Document for the relevant area (such as the Harlow Local Development Plan). If you are unsure what type of planning application your proposal is, contact the Planning Department to check.
- 4.13 Such pre-application consultation allows applicants and developers to gather the views of local residents about their proposals, which can be taken into account in the preparation of the application before it is formally submitted to the Council, thereby saving time and potential costs.
- 4.14 The Planning Department suggest that the details and results of all consultation and involvement exercises are reported in a statement in the planning application as per the Council’s validation checklist. The Planning Department does not become involved with this type of pre-application consultation, to ensure an impartial position is retained.
- 4.15 It is preferable that briefings and exhibitions are held in-person, at a location and venue which is close to the application site, to ensure that all members of the community have an opportunity to participate. Briefings and exhibitions could be held virtually, online, in circumstances where in-person ones cannot be held. It is the responsibility of the applicant to ensure they are suitably advertised, whether they are held in-person or virtually.
- 4.16 Where briefings are to involve Harlow Councillors, the applicant should make suitable arrangements.

Quality Review Panel

- 4.17 To support the delivery of the Harlow and Gilston Garden Town, the Councils adjoining Harlow (Epping Forest and East Hertfordshire Councils) have worked with Harlow Council to establish a Quality Review Panel, which provides independent and impartial ‘critical friend’ advice and design guidance on significant proposed development.
- 4.18 The panel usually considers development to be significant if, for example, it is for groups of buildings, is an infrastructure project, affects sensitive views, involves significant public investment or is likely to set a future precedent. There

are also other factors which may mean a proposed development is considered to be significant.

- 4.19 Development is usually referred to the panel by planning officers at an early stage, to identify and consider the key assumptions of the proposed design. Officers may also request a review once an application is submitted.
- 4.20 Early engagement with the panel can reduce the risk of delay at application stage by ensuring that designs reach an acceptable standard. The panel's advice may assist Council officers in negotiating design improvements and may support decision-making by the planning committee, where applicable.
- 4.21 There are a number of reviews offered by the panel, including formal reviews for larger schemes, workshop reviews and a chair's review for smaller schemes or planning applications, surgery reviews for very small schemes or discharge of planning conditions.
- 4.22 For more information on the panel and the charges for meetings, please see the Quality Review Panel Terms of Reference on the Harlow and Gilston Garden Town website at <https://hggg.co.uk/our-resources>.


Application stage

- 4.23 When an application has been submitted to the Council, it will be registered, validated and assigned to a Case Officer, and any relevant consultees will be notified of the application.
- 4.24 As mentioned above, where briefings and/or exhibitions are held during the pre-application stage, they should be repeated at the application stage.

Development Management Consultation Methods

- 4.25 Table 4.1 indicates the ways in which the Council will consult on applications. These methods comply with the minimum legislative requirements.

Table 4.1: Development Management Consultation Methods

	<p>Website</p> <p>On the Council's website, each application is available to view, with details of the application, progress of determination, relevant documents and drawings, and information on how to comment on the application.</p> <p>Once an application has been determined, the Case Officer's report will also be published online, with the decision notice which contains any conditions imposed if permission is granted. Comments made by others as part of the consultation are also available to view.</p> <p>Full information for older applications may not be available to view online (contact the Planning Department if you are unable to find the information you are looking for).</p> <p>The Council's website also includes a weekly list of all applications which have been received and applications which have been determined, as well as the ability to register for notifications (see</p>
---	---




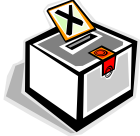
	below).
	<p>Notifications</p> <p>In some cases properties adjoining a site relating to a submitted application will be notified of the application by a letter and given guidance on how to make comments.</p> <p>The Council's website also offers the facility to register for email alerts when planning applications are made in a pre-determined area. The area can be drawn on an interactive map and could, for example, be drawn around neighbouring properties or a wider area.</p> <p>In some cases properties adjoining a site relating to an application will be notified by letter and given guidance on how to make comments.</p>
	<p>Local Media</p> <p>Press notices advertising certain applications are published in the local media. These include details of the application, the dates of the consultation and how to make comments.</p>
	<p>Site Notices</p> <p>Site notices for certain applications are displayed in close proximity to the application site.</p>
	<p>Council meetings</p> <p>Certain applications will be discussed by Councillors at the Development Management Committee. These are public meetings which anyone can attend, although those wishing to speak must first notify the Governance Support Section, at least 24 hours in advance of the meeting. This is in accordance with the rules of the Council's Constitution.</p>

Table 4.2: Major and Minor Development Categories

DEVELOPMENT TYPE		DEVELOPMENT CATEGORY	
Dwellings	<i>Number of residential units</i>	<i>Site area (where number of units unknown)</i>	
	51 or more	O 4 ha or more	LARGE-SCALE MAJOR
	10 to 50	R 0.5 ha or more but less than 4 ha	SMALL-SCALE MAJOR
	1 to 9	less than 0.5 ha	MINOR
Offices/ Research & Development/ Light industry; General industry/ storage/ warehousing; Retail distribution and servicing	<i>Floor space to be built</i>	<i>Site area</i>	
	10,000 m ² or more	O 2 ha or more	LARGE-SCALE MAJOR
	1,000 m ² or more but less than 10,000 m ²	R 1 ha or more but less than 2 ha	SMALL-SCALE MAJOR
	less than 1,000 m ²	less than 1 ha	MINOR
Gypsy and Traveller Pitches	<i>Number of pitches</i>	O <i>Site area (where number of</i>	

		<i>R</i> units unknown)	
	200 or more	4 ha or more	LARGE-SCALE MAJOR
	10 to 199	0.5 ha or more but less than 4 ha	SMALL-SCALE MAJOR
	1 to 9	less than 0.5 ha	MINOR
All other large scale major, small scale major or minor developments	<i>Floor space to be built</i>	<i>Site area</i>	
	10,000 m ² or more	<i>O</i> 2 ha or more	LARGE-SCALE MAJOR
	1,000 m ² or more but less than 10,000 m ²	<i>R</i> 1 ha or more but less than 2 ha	SMALL-SCALE MAJOR
	less than 1,000 m ²	less than 1 ha	MINOR

4.26 Table 4.3 prescribes the neighbour notification requirements for an application, depending on the development category it falls under. The requirements meet or exceed the minimum legislative requirements. Depending on the circumstances of an individual case and availability of resources, the actual level of neighbourhood notification may be further increased.

Table 4.3: Neighbour Notification Requirements for Application

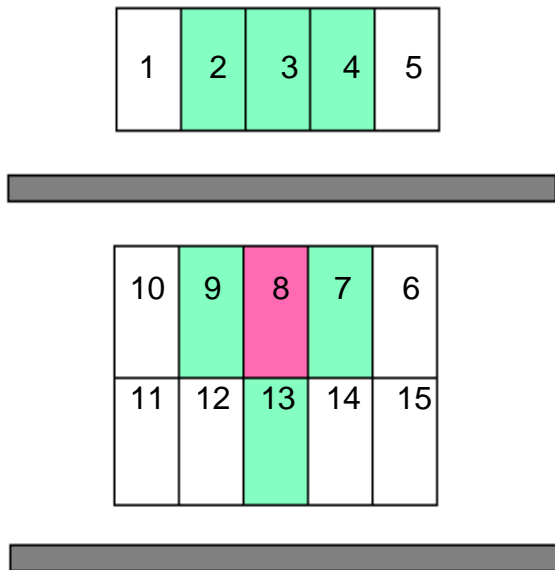
DEVELOPMENT CATEGORY/TYPE	NOTIFICATION
LARGE-SCALE and SMALL-SCALE MAJOR DEVELOPMENT	Press notice Site notice and/or a letter to all properties neighbouring or directly affected by the application site
MINOR DEVELOPMENT and OTHER PROPOSALS*	Site notice and/or a letter to all properties neighbouring or directly affected by the application site
Any category of development which: - departs from the Local Plan; - is an Environmental Impact Assessment application accompanied by an environmental statement; or - affects a public right of way ²	Press notice Site notice Letter to all properties neighbouring or directly affected by the application site
Certificates of Lawful Development and Discharge of Planning Conditions	None

*Other proposals, in this context, include applications relating to change of use, householder developments, advertisements, listed building consents, Conservation Area consents, notifications of prior approvals, hedgerows, and protected trees.

Fig. 4.1 demonstrates the properties which will be sent letters when a letter is sent to neighbouring properties.

² As defined by part 3 of the Wildlife and Countryside Act 1981

Fig. 4.1: Example of Notification to Neighbouring Properties



In the example on the left, property 8 is building a front and rear extension. The following properties would be consulted:

- Numbers 2 – 4 (opposite and diagonally opposite at the front who)
- Numbers 7 & 9 (abutting either side)
- Number 13 (abutting to rear)

Other properties may also be consulted if there are overlapping boundaries or if they are affected by other planning related issues such as parking or impact on the street scene etc.

Other Consultees

4.15 There are a number of organisations which the Council are required to consult with to seek their professional views on a submitted application, depending on the type and scale of the application. The requirements for which organisations will be consulted and when are set out in the relevant planning legislation. The organisations which may be consulted by the Council include, but are not limited, to the following:

- An adjoining district, town, borough or city council
- An adjoining parish or town council
- The British Waterways Board
- Historic England
- The Environment Agency
- Essex County Council
- The Health and Safety Executive
- Local railway operator
- Natural England
- Highways England
- Sport England
- The Theatres Trust

4.16 In addition, depending on the type and scale of the application, Harlow Council may also consult the following non-statutory bodies:

- Campaign for the Protection of Rural England
- Civil Aviation Authority
- Department for the Environment, Fisheries and Rural Affairs

- Essex County Fire & Rescue Service
- Essex Police
- Essex Wildlife Trust
- Harlow Council departments (including Properties and Facilities, Environmental Health and Regeneration)
- Local organisations (including residents associations, the Harlow Area Access Group and the Harlow Civic Society)
- Member of Parliament for Harlow
- NHS England / NHS West Essex Clinical Commissioning Group (where the application is for 50 or more dwellings, or is for C2 use)
- Utilities companies (e.g. electricity/water suppliers)

Commenting on Applications

- 4.17 Anyone can make a comment – positive or negative – on a planning application. Any material planning considerations will be taken into consideration by the Case Officer during the determination of the application, potentially resulting in changes being made to the proposal, conditions being added to grant of permission, or refusal of the application. Comments which are non-material and not related to planning issues, such as effects on property value, cannot be considered.
- 4.18 Comments must be made in writing before the specified end date of the consultation and must include your name and address. The best method for this is via the [online public access website](#). Alternatively they can be emailed to planning.services@harlow.gov.uk or sent by post or by hand to Harlow Council, Civic Centre, Water Gardens, Harlow, CM20 1WG.
- 4.19 Late comments submitted after the end date of the consultation may be accepted up until the time at which the application is determined. The Local Planning Authority is able to determine any application following the expiry of the consultation period, in accordance with the adopted Scheme of Delegation, as set out within the Council's Constitution.
- 4.20 Anonymous or confidential comments cannot be taken into account. All written comments on an application will only be acknowledged if an acknowledgement is requested. Any person who comments on an application will be notified of any decision made by the Council on the application, including if the application is to be considered at the Development Management Committee.
- 4.21 The planning system is a transparent process. Therefore, when you respond to a public consultation, comments and information you submit – as well as your name – will be made available for public inspection in relevant files. They may also be made available on the Council's website. Certain information will be redacted before it is published online. All information received during public consultations is held by the Council in accordance with the Data Protection Act 1998, the Freedom of Information Act 2000 and the General Data Protection Regulation.
- 4.22 Case Officers must remain impartial regarding commenting on applications and therefore cannot advise you on comments you wish to make. Officers will,

however, be able to clarify any planning-related questions you may have about the application. In exceptional circumstances, for example when consulting with hard-to-reach groups, a face-to-face meeting with the Case Officer at the Civic Centre may be arranged, subject to availability of resources.

- 4.23 The consultation period for most planning applications is 21 days (14 days for some applications). Notification letters will state when responses need to be returned to the Council. Where legislation requires, a longer period of time will be given to certain bodies.

Decision stage

- 4.24 Many applications are determined by the Planning & Building Control Manager (or when absent, the Development Manager), based on the recommendations in the Case Officer's report. The report assesses whether the proposal is acceptable in accordance with local and national policies. Comments made by members of the public and organisations, as well as other material considerations, are also considered. Based on these assessments, a recommendation is made in the report with reasons for why that recommendation has been made.
- 4.25 Most applications will be determined within an 8-week timeframe, although for applications for major types of development, this is extended to 13 weeks and 16 weeks for applications for Environmental Impact Assessment development. Following the determination of an application, a decision notice is produced which specifies the decision, the approved plans, conditions attached to the planning permission and reasons for the conditions.
- 4.26 When the final decision on an application has been made, all those who commented on it will be informed of the decision and any conditions or reasons relating to the granting or refusing of permission.
- 4.27 In some circumstances, applications will be determined by the Development Management Committee, which is a body of democratically elected Council Members. In this case, the Committee Members are guided by the report and recommendation produced by the Case Officer. The application will then be discussed and decided at a meeting of the Committee which the public can attend. Members of the public are allowed to speak at these meetings for a maximum of three minutes per person (with up to three parties in favour of a proposal and up to three parties against a proposal), as long as they have registered their interest to do so with the Council by 4pm on the day before the Committee. In some cases, at the discretion of the Committee chair, the number of speakers allowed may be increased.
- 4.28 The circumstances in which the Committee determines applications are set out in the Council's Development Management Scheme of Delegation, which is available on the Council's website, under the Council's Constitution.
- 4.29 Applications are occasionally revised after they have been submitted. Most revisions are minor and do not require re-consultation, but interested parties will generally be informed of the revisions. For more major changes, the Council will

re-consult those people originally notified of the application, typically with a 10-day period of consultation. If the changes are significant, the applicant may be requested to withdraw the application and submit a new one.

Post-decision stage

- 4.30 If an applicant is unhappy with the decision that the Council has made on their application, they can appeal to the Planning Inspectorate. Applicants may appeal when an application has been refused, if an application has not been decided by the target deadline, or if they are unhappy with any conditions that have been placed on a grant of permission.
- 4.31 If an applicant is unhappy with way their application has been processed and considered, they can complain using the Council Complaints Procedure and, if need be, can also involve the Local Government Ombudsman. More information on this is available on the Council's website.
- 4.32 In the event of an appeal, those who were previously notified about the application will be informed of the appeal process and how they can be involved. A Planning Inspector, on behalf of the Secretary of State for Communities and Local Government, will allow or dismiss the appeal (i.e. grant or refuse permission), based on evidence supplied to them.

Breaches in Planning Control

- 4.33 Anyone who has concerns that any works being carried out are in breach of the relevant planning controls can contact the Planning Department to report the suspected breach. An enforcement case will be opened and the matter will be investigated, with site visits being undertaken and, where breaches of planning control have been identified, enforcement action will be taken. Anonymous comments or reports cannot be accepted. All initial complaints are dealt with in confidence and details of the complainants will not be made known without their agreement. However, the substance of the complaints themselves is not confidential. In some cases it may be necessary to rely on evidence from complainants in order to take action.

5. Glossary

This Glossary provides information on the terms and acronyms which may be used throughout letters and documents published or issued by the Forward Planning and Development Management teams. Specific documents, including the Harlow Local Development Plan, contain separate glossaries to further ease reading.

AAP	Area Action Plan	A Development Plan Document that provides a planning framework for areas where significant change is needed or anticipated
AMR	Authority Monitoring Report	Assesses the effectiveness of Local Development Plan policies, including the types & numbers of planning applications determined and housing completions each financial year
CIL	Community Infrastructure Levy	A means of securing planning obligations, supported by documents setting out how sums of money for various infrastructure projects would be apportioned and how the levy is calculated
DPD	Development Plan Document	A long-term spatial plan for a specific area, including a Policies Map. AAPs and Local Plans are DPDs
DLUHC	Department for Levelling Up, Housing and Communities	Central Government department responsible for preparing legislation and guidance on town planning and related issues
Duty to co-operate		Under the Localism Act 2011, the Council has a legal duty to engage constructively, frequently and actively with specified bodies during Local Development Plan preparation
EA	Environment Agency	National body which protects and improves the environment and promotes sustainable development
Examination in Public		An interrogatory process led by the Planning Inspectorate to examine the soundness of a DPD
GPDO	General Permitted Development Order	An order which sets out certain permitted development rights which allow changes to happen to a property without the need for planning permission
HLDP	Harlow Local Development Plan	The statutory development plan for the district which sets out long-term spatial visions and the associated policies.
LDS	Local Development Scheme	Sets out a programme for preparing documents related to the Local Development Plan
Localism Act		The Act details Central Government's agenda for decentralisation and democratic engagement, by empowering councils, communities and individuals
Neighbourhood Plan		A plan produced by a designated neighbourhood forum with the support of local people
NPPF	National Planning Policy Framework	National government policy on planning issues. The NPPF was introduced in 2012 and replaced existing national policies and guidance
NPPG	National Planning Practice Guidance	National government guidance on planning issues, introduced in 2014

Planning Inspectorate		National body which undertakes planning appeals, examinations and inquiries
Policies Map		A map which illustrates the policies contained in the HLDP and visually displays any designated areas (such as employment areas and areas of ecological importance)
S106	Section 106 agreement	A legal agreement, following negotiation with applicants who have planning permission, which secures the delivery of community benefits, such as the physical construction of facilities
SA	Sustainability Appraisal	The appraising of the potential social, environmental and economic impacts of policies to ensure they are in accordance with sustainable development objectives
SCI	Statement of Community Involvement	Details the Council's commitment to consulting local people, businesses and organisations on planning matters, including the determining of planning applications and the preparation of planning policies
SEA	Strategic Environmental Assessment	Formal environmental assessments applied to policies, plans and programmes
SHLAA	Strategic Housing Land Availability Assessment	Assessment which determines the availability and viability of potential housing sites
SHMA	Strategic Housing Market Assessment	Assessment which provides evidence on the types of housing that are needed to meet current and future demand
SPD	Supplementary Planning Document	Provides supplementary guidance to the policies contained in the HLDP
TCA	Tree within a Conservation Area	A tree or trees situated in an area of notable environmental or historical interest or importance which is protected by law against undesirable changes. The Conservation Area status gives automatic blanket protection to all trees that fall within its boundary.
TPO	Tree Preservation Order	An order which preserves a single or a group of trees, meaning the tree(s) cannot be topped, lopped or felled without consent